

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN E. MITCHELL,

Plaintiff,

v.

R. DIAZ, et al.,

Defendants.

Case No. 1:22-cv-00006-JLT-EPG (PC)

ORDER DIRECTING CLERK TO
ADMINISTRATIVELY TERMINATE
PLAINTIFF’S SECOND MOTION FOR AN
ORDER UNDER ALL THE WRITS ACT
AND THE FINDINGS AND
RECOMMENDATIONS ON THE MOTION

(ECF Nos. 20 & 22)

ORDER DIRECTING CLERK TO SEND A
COPY OF THIS ORDER TO PLAINTIFF AT
CALIFORNIA STATE PRISON,
SACRAMENTO

John Mitchell (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action. Plaintiff filed the complaint commencing this action on December 27, 2021.¹ (ECF No. 1).

On May 2, 2022, Plaintiff filed a second motion for an order under the All Writs Act. (ECF No. 20). On May 4, 2022, the Court issued findings and recommendations, recommending that it be denied. (ECF No. 22). On that same day, Plaintiff filed a notice indicating that he is withdrawing the motion because he “has recieved [sic] what he believes may be all of his legal documents.” (ECF No. 21, p. 1).

As Plaintiff has withdrawn his motion for an order under the All Writs Act, the Court will direct the Clerk to administratively terminate Plaintiff’s motion and its findings and

¹ Plaintiff did not pay the filing fee until February 1, 2022.

1 recommendations on the motion.

2 Accordingly, IT IS ORDERED that:

- 3 1. The Clerk of Court is directed to administratively terminate Plaintiff's second
4 motion for an order under the All Writs Act (ECF No. 20) and the Court's findings
5 and recommendations on the motion (ECF No. 22); and
6 2. The Clerk of Court is directed to send a copy of this order to Plaintiff at California
7 State Prison, Sacramento, P.O. Box 290066, Represa, CA 95671.²

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9 IT IS SO ORDERED.

10 Dated: May 5, 2022

11 /s/ Eric P. Gray
12 UNITED STATES MAGISTRATE JUDGE
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27 ² According to the docket, Plaintiff is confined at Kern Valley State Prison. According to the address on
28 Plaintiff's second motion for an order under the All Writs Act, Plaintiff is confined at California State Prison,
Sacramento. While the Court is sending a copy of this order to Plaintiff at California State Prison, Sacramento, the
Court notes that it is Plaintiff's responsibility to keep the Court notified of his current address.